

shall promulgate such rules, under chapter 34.04 RCW, as are necessary and convenient to properly administer this act, by September 1, 1982.

Passed the Senate March 8, 1982.

Passed the House March 6, 1982.

Approved by the Governor April 1, 1982.

Filed in Office of Secretary of State April 1, 1982.

## CHAPTER 160

[Substitute Senate Bill No. 4917]

### STATE BOARD OF EDUCATION—OFFICERS

AN ACT Relating to the state board of education; amending section 28A.04.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.090; amending section 28A.03.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 249, Laws of 1981 and RCW 28A.03.030; amending section 28A.04.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.100; and creating a new section.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 28A.04.090, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.090 are each amended to read as follows:

The state board of education shall annually elect a president and vice president. The superintendent of public instruction shall be an ex officio ((president)) member and the chief executive officer of the board. As such ex officio ((president)) member the superintendent shall have the right to vote only when there is a question before the board upon which no majority opinion has been reached among the board members present and voting thereon and the superintendent's vote is essential for action thereon. The superintendent, as chief executive officer of the board, shall furnish all necessary record books and forms for its use, and shall represent the board in directing the work of school inspection.

Sec. 2. Section 28A.03.030, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 249, Laws of 1981 and RCW 28A.03.030 are each amended to read as follows:

In addition to any other powers and duties as provided by law, the powers and duties of the superintendent of public instruction shall be:

(1) To have supervision over all matters pertaining to the public schools of the state.

(2) To report to the governor and the legislature such information and data as may be required for the management and improvement of the schools.

(3) To prepare and have printed such forms, registers, courses of study, rules and regulations for the government of the common schools, questions prepared for the examination of persons as provided for in RCW 28A.04.120(7), and such other material and books as may be necessary for

the discharge of the duties of teachers and officials charged with the administration of the laws relating to the common schools, and to distribute the same to educational service district superintendents.

(4) To travel, without neglecting his other official duties as superintendent of public instruction, for the purpose of attending educational meetings or conventions, of visiting schools, of consulting educational service district superintendents or other school officials.

(5) To prepare and from time to time to revise a manual of the Washington state common school code, copies of which shall be provided in such numbers as determined by the superintendent of public instruction at no cost to those public agencies within the common school system and which shall be sold at approximate actual cost of publication and distribution per volume to all other public and nonpublic agencies or individuals, said manual to contain Titles 28A and 28C RCW, rules and regulations related to the common schools, and such other matter as the state superintendent or the state board of education shall determine. Proceeds of the sale of such code shall be transmitted to the public printer who shall credit the state superintendent's account within the state printing plant revolving fund by a like amount.

(6) To act as ex officio ((president)) member and the chief executive officer of the state board of education.

(7) To hold, annually, a convention of the educational service district superintendents of the state at such time and place as he may deem convenient, for the discussion of questions pertaining to supervision and the administration of the school laws and such other subjects affecting the welfare and interests of the common schools as may be brought before it. Said convention shall continue in session at the option of the superintendent of public instruction. It shall be the duty of every educational service district superintendent in this state to attend said convention during its entire session, and any educational service district superintendent who attends the convention shall be reimbursed for traveling and subsistence expenses as provided in RCW 28A.21.130 in attending said convention.

(8) To file all papers, reports and public documents transmitted to him by the school officials of the several counties or districts of the state, each year separately. Copies of all papers filed in his office, and his official acts, may, or upon request, shall be certified by him and attested by his official seal, and when so certified shall be evidence of the papers or acts so certified to.

(9) To require annually, on or before the 15th day of August, of the president, manager, or principal of every educational institution in this state, a report of such facts arranged in such manner as he may prescribe, and he shall furnish forms for such reports; and it is hereby made the duty of every president, manager or principal, to complete and return such forms within such time as the superintendent of public instruction shall direct.

(10) To keep in his office a record of all teachers receiving certificates to teach in the common schools of this state.

(11) To issue certificates as provided by law.

(12) To keep in his office at the capital of the state, all books and papers pertaining to the business of his office, and to keep and preserve in his office a complete record of statistics, as well as a record of the meetings of the state board of education.

(13) With the assistance of the office of the attorney general, to decide all points of law which may be submitted to him in writing by any educational service district superintendent, or that may be submitted to him by any other person, upon appeal from the decision of any educational service district superintendent; and he shall publish his rulings and decisions from time to time for the information of school officials and teachers; and his decision shall be final unless set aside by a court of competent jurisdiction.

(14) To administer oaths and affirmations in the discharge of his official duties.

(15) To deliver to his successor, at the expiration of his term of office, all records, books, maps, documents and papers of whatever kind belonging to his office or which may have been received by him for the use of his office.

(16) To perform such other duties as may be required by law.

Sec. 3. Section 28A.04.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.04.100 are each amended to read as follows:

The ~~((superintendent of public instruction))~~ state board of education shall appoint some person to be ex officio secretary of said board who shall not be entitled to a vote in its proceedings. The secretary shall keep a correct record of board proceedings ~~((in a good and well-bound book))~~, which shall be kept in the office of the superintendent of public instruction. He shall also, upon request, furnish to interested school officials a ~~((certified))~~ copy of such proceedings.

NEW SECTION. Sec. 4. If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the Senate March 10, 1982.

Passed the House March 9, 1982.

Approved by the Governor April 1, 1982.

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